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By Madai Corral at 4:51 pm, Dec 15, 2021

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EXHIBIT A:
Settlement Condition, SWQB 20-79
Los Alamos National Laboratory Industrial Discharge Permit
NPDES Permit No. NM0028355

The following settlement condition ensures that discharges allowed under the National Pollutant Discharge Elimination System (NPDES) permit will comply with State of New Mexico water quality standards (WQS) adopted in accordance with Section 303 of the Clean Water Act (CWA) and the New Mexico Water Quality Act [NMSA 1978, §§ 74-6-1 to -17]. State of New Mexico (State) WQS are codified in Title 20, Chapter 6, Part 4 of the New Mexico Administrative Code (20.6.4 NMAC), *Standards for Interstate and Intrastate Surface Waters*. Additional state WQS are published in Title 20, Chapter 6, Part 2 of the New Mexico Administrative Code (20.6.2 NMAC), *Ground and Surface Water Protection*.

Included below are the following two attachments, which assist in organizing the information related to Settlement Condition #1 below:

- Attachment 1: PCB Monitoring Data for NPDES NM0028355 Permitted Outfall 051
- Attachment 2: Page 14 of Form 2Cs from the 2019 NPDES Permit Re-Application

Settlement Condition #1 – related to PCBs:

- (a) TRIAD/DOE NNSA has discharge monitoring data (using EPA Method 1668) for Outfall 051 from sampling performed in June 2019 and March 2020 (see Attachment 1). Analytical data is not available for the other outfalls; however, the 2019 Permit Re-Application Form 2Cs for these outfalls indicated that PCBs were “Believed Absent” based upon the composition of the water discharged (see Attachment 2). Table 1 below provides the basis for reasonable potential at each outfall.
- (a) Where reasonable potential exists (“Yes”), i.e., Outfalls 001, 13S, and 03A027, TRIAD/DOE NNSA shall monitor for Total PCBs in effluent once per year (see Table 1).
- (b) The ten (10) outfalls identified in Table 1 discharge to PCB-impaired surface waters. However, water quality data are only available for a sub-set of the outfalls. Therefore, where reasonable potential may exist (“Unknown”), TRIAD/DOE NNSA shall confirm that PCBs are absent from the discharges by sampling for Total PCBs in effluent from Outfalls 03A048, 03A113, 03A160, 03A181, 03A199, and 03A022 once during the first year of coverage, or when the facility next discharges if no discharge occurs during the first year (see Table 1).
- (c) Samples will be analyzed by an accredited lab for Total PCBs in accordance with EPA Method 1668C or later revisions. Method and analysis shall be sufficiently sensitive to evaluate the data against the New Mexico water quality standard.
- (d) If data from the confirmation sampling indicate that reasonable potential exists at one or more of the outfalls identified in Table 1, then TRIAD/DOE NNSA shall monitor for Total PCBs once per year at the outfall(s) for the remainder of the permit term. If data indicate no reasonable potential, then no additional monitoring is required.

Outfall ID	Long-Term Average (ug/L) ^{a,b}	RP Y/N	Basis of Reasonable Potential Determination	Total PCB Discharge Limitation (ug/L)	Monitoring Requirements	Monitoring Frequency
001	0.002654	Yes	<ul style="list-style-type: none"> DMR Monitoring Data using EPA 1668 "Believed Present" 	0.00064	24-hour composite	1/Year
13S	ND	Yes	<ul style="list-style-type: none"> "Believed Present" 	0.00064	24-hour composite	1/Year
03A027	0.001335	Yes	<ul style="list-style-type: none"> DMR Monitoring Data using EPA 1668 "Believed Present" 	0.00064	Grab sample	1/Year
051	0.000000	No	<ul style="list-style-type: none"> DMR Monitoring Data using EPA 1668 "Believed Absent" 	N/A	None – data indicate no RP	N/A
03A048	ND	UNK	<ul style="list-style-type: none"> No data Composition of the discharge is potable water and water treatment chemicals that <i>do not</i> contain PCBs "Believed Absent" Impaired 	0.00064	"Believed Absent" – Confirmation sample required for impairment.	1/permit term ^c
03A113	ND	UNK		0.00064	"Believed Absent" – Confirmation sample required for impairment.	1/permit term ^c
03A160	ND	UNK		0.00064	"Believed Absent" – Confirmation sample required for impairment.	1/permit term ^c
03A181	ND	UNK		0.00064	"Believed Absent" – Confirmation sample required for impairment.	1/permit term ^c
03A199	ND	UNK		0.00064	"Believed Absent" – Confirmation sample required for impairment.	1/permit term ^c
03A022	ND	UNK	<ul style="list-style-type: none"> No data Composition of the discharge is potable water and water treatment chemicals that <i>do not</i> contain PCBs, and stormwater from a roof "Believed Absent" Impaired 	0.00064	"Believed Absent" – Confirmation sample required for impairment.	1/permit term ^c

NMWQS = New Mexico Water Quality Standard; ND = no data; UNK = Unknown; RP = Reasonable Potential